

UNITED STATES DISTRICT COURT  
for the  
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Benjamin Viloski

Docket No. 7:16-CR-80-1F

**Petition for Action on Supervised Release**

COMES NOW David W. Leake, U.S. Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Benjamin Viloski, who, upon an earlier plea of guilty to Conspiracy to Commit Mail and Wire Fraud, Mail Fraud, Conspiracy to Commit Money Laundering & Transactions in Criminally Derived Property, Aiding and Abetting Concealment of Money Laundering, Aiding and Abetting Transaction in Criminally Derived Property, and Making a False Statement, was sentenced in the Northern District of New York by the Honorable David N. Hurd, U.S. District Court Judge, on January 13, 2012, to the custody of the Bureau of Prisons for a term of 60 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 3 years.

Benjamin Viloski was released from custody on June 14, 2016, at which time the term of supervised release commenced. Jurisdiction of the defendant's case was transferred to the Eastern District of North Carolina on July 29, 2016.

The defendant is in compliance with release conditions.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:**

The defendant, along with two co-defendants, was ordered to pay \$75,000 restitution. He was further ordered to pay 25% of any prison earnings and 20% of any earnings following his release toward restitution. Since his release, the defendant's income has been limited to Social Security earnings and through January 2017 has paid 15% of his Social Security earnings toward restitution. As the restitution balance has been reduced to \$12,032.11, it is recommended that the defendant begin paying 10% of any earnings towards restitution beginning April 15, 2017, and by the 15<sup>th</sup> of each month thereafter. The defendant is in agreement with the proposed modification of supervision.

**PRAYING THAT THE COURT WILL ORDER** that supervised release be modified as follows:

1. The defendant shall pay 10% of any earnings towards restitution beginning April 15, 2017, and by the 15<sup>th</sup> of each month thereafter.

Except as herein modified, the judgment shall remain in full force and effect.

**Benjamin Viloski**  
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**Petition For Action**  
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Reviewed and approved,

I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert L. Thornton  
Robert L. Thornton  
Supervising U.S. Probation Officer

/s/ David W. Leake  
David W. Leake  
U.S. Probation Officer  
2 Princess Street, Suite 308  
Wilmington, NC 28401-3958  
Phone: 910-679-2045  
Executed On: March 1, 2017

#### ORDER OF THE COURT

Considered and ordered this 2 day of March, 2017, and ordered filed and made a part of the records in the above case.

James C. Fox  
James C. Fox  
Senior U.S. District Judge